

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON (Seattle)

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

BY

MATTHEW G. SILVA,

Plaintiff - Appellant,

v.

LARRY MAYES, Director; et al.,

Defendants - Appellees.

No. 05-35582

D.C. No. CV-04-01885-JLR

ORDER

This appeal has been taken in good faith []

This appeal is not taken in good faith [x]

Explanation: Appeal is contrary to established law.



04-CV-01885-APPO



Judge
United States District Court

Date: August 1, 2005

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

July 28, 2005

MATTHEW G. SILVA,

Plaintiff - Appellant,

v.

LARRY MAYES, Director; et al.,

Defendants - Appellees.

No. 05-35582
D.C. No. CV-04-01885-JLR

REFERRAL NOTICE

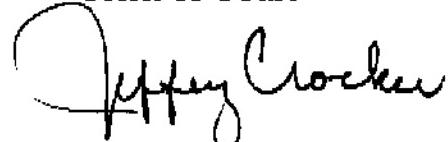
This matter is referred to the district court for the limited purpose of determining whether this appeal has been taken in good faith or is frivolous. *See* 28 USC Sec. 1915(a)(3).

If the district court is of the opinion that this appeal is frivolous or not taken in good faith, the district court is requested to complete the attached certification form and return it to this court within 21 days. If this court does not receive a completed certification form within 21 days, it will presume that the district court considers the appeal to have been taken in good faith.

This referral shall not affect the briefing schedule previously established by this court.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court



By: Jeffery Crocker
Deputy Clerk